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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/981,817

10/19/2001

Laurent Frouin

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02/03/2005

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EXAMINER

ARTHUR JEANGLAUDE, GERTRUDE

ART UNIT

PAPER NUMBER

2144

DATE MAILED: 02/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N . . .

09/981,817

Applicant(s)

FROUIN, LAURENT

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 19 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 121301.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The heading for the specification such as brief summary of the invention, brief description of the drawings and detailed description of the drawings is required.

Claim Objections

Claim 7 is objected to because of the following informalities: the following limitation in the claim at page 24 read as "able to receive operating commands intended for any host in the network, said receiver (115) supplying a unit (93) able to produce signals representing these operating commands and being able to be transmitted to other nodes." is redundant and needs to be canceled. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Bertin et al. (US 5,940,372).

As to claim 1, Bertin et al. disclose a method of managing a communication network comprising on the one hand a sub-network (211) as shown in Fig. 2 consisting of communication nodes interconnected by links (See Fig.3) conveying digital signals, and on the other hand several hosts (as shown in Fig.2) able to exchange data by means of this sub-network, the method being characterized in that, in order to actuate,

Art Unit: 2144

from any first node in the network, any host in the network by means of operating commands transmitted by an appropriate interface attached to a second node (access node 202 interfaces a PBX see col. 7, lines 58-61) in the network to which the host is connected, Bertin et al. disclose network node includes a routing point wherein it is inherent to have a search signal containing information representing the technical features of the host to be actuated is transmitted from the first node in the direction of the nodes in the network including the first node (See col. 7, lines 65-67; col. 8, lines 59-66) (col. 5, lines 38-45, Fig. 6 #604) whereas the search algorithm can be used for searching signals, Bertin et al. disclose a candidate host is identified as shown in Fig.2, which may be the host to be actuated on the basis of compatibility between the technical features of this candidate host and the technical features indicated in the search signal, (the compatability is also shown as the routing fields contain all the information necessary; these fields can take several formats depending on the routing mode and the control fields include an encoded identification (See col. 8, lines 25-34)

- this host candidate is started up by means of a control interface(control fields) attached to the node to which the candidate host is connected (See col. 8, lines 25-34, and if this candidate host proves not to be the host to be actuated, a search signal is transmitted once again in order to continue the search, 20 whereas, if this host does indeed prove to be the host to be actuated, operating commands are sent to it by means of said control interface, which also interrupts (stopped) the search (See col. 19, lines 56-67-col. 20, lines 1-36).

As to claim 2, Bertin et al. disclose a method of managing a communication network characterised in that the network comprises at least one host (as shown in Fig.2) able to exchange analogue signals by means of a data interface (211) and being able to be controlled by means of a control interface (control fields; col. 8, lines 31-33), and in that certain technical features useful for being able to control this at least one host are obtained by analysing the technical features of the data interface (col. 8, lines 35-67).

As to claim 3, Bertin et al. disclose a method of managing a communication network, characterised in that, in order to put two hosts in the network in communication, a method is implemented for at least one of the two hosts (as shown in Fig.2).

As to claim 4, Bertin et al. disclose a method of managing a communication network characterised in that the two hosts are connected to the same node (202) in the sub-network.

As to claim 5, Bertin et al. disclose a method of determining technical features in a communication network comprising on the one hand a sub-network consisting of communication nodes (201-208) interconnected by links conveying digital signals, and on the other hand several hosts (See Fig.2) able to exchange data by means of this sub-network, at least one host amongst the hosts being able to exchange analogue signals by means of a data interface (211) and being able to be controlled by means of a control interface (control fields; col. 8, lines 31-33), the method being characterised in

Art Unit: 2144

that certain technical features useful for being able to control this at least one host are obtained by analysing the technical features of the data interface (col. 8, lines 35-67).

As to claim 6, Bertin et al. disclose a communication node intended to form part of a communication network comprising on the one hand a sub-network consisting of communication nodes (201-208) interconnected by links (See Fig.8) conveying digital signals, and on the other hand several hosts able to exchange data by means of this sub-network, the node being characterised in that it comprises - at least one data interface (211) for the possible connection of a host able to exchange analogue signals, at least one control interface (control fields; col. 8, lines 31-33) able to transmit operating commands to such a host (as shown in Figs. 8,9) and a unit (considered as the distributed routing; col. 4, lines 41-45) supplying the control interface from signals representing these operating commands and received by the unit from other nodes.

As to claim 7, Bertin et al. disclose a communication node intended to form part of a communication network comprising on the one hand a sub-network consisting of communication. Nodes (201-208) interconnected by links (See Fig.8) conveying digital signals, and on the other hand several hosts able to exchange data by means of this sub-network, the node being characterised in that it has at least one receiver (in communication system as shown in Fig.2) able to receive operating commands intended for any host in the network, the receiver supplying a unit (considered as the distributed routing; col. 4, lines 41-45) able to produce signals representing these operating commands and being able to be transmitted to other nodes.

As to claim 8, Bertin et al. disclose a data processing apparatus (communication processors), characterised in that it has a communication node (201).

As to claim 9, Bertin et al. disclose a communication network, as shown in Fig. 2 characterised in that it comprises at least one communication node.

As to claim 11, Bertin et al. disclose a data storage means (306; see col. 10, lines 8-11) which can be read by a computer or a microprocessor storing instruction of a computer program.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertin et al. (U.S. Patent No. 5,940,372) in view of Saito et al. (EP 0837 579 A2).

As to claim 10, Bertin et al. disclose a communication network as discussed but fail to specifically disclose that the data represents audio-visual information. In an analogous art, Saito et al. disclose a data transfer control device in a network environment wherein it discloses that the data represent audio-visual information (See col. 18, lines 38-44). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the communication network system of Bertin et al. with

Art Unit: 2144

that of Saito et al. by having data that represents audio visual information in order to allow the data transfer control device to obtain guidance.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bertin et al. (U.S. Patent 5,940,372).

As to claim 12, Bertin et al. disclose a data storage means (306) as discussed but the data storage is not is removable, partially or totally, However, it is well known to have a removable , partially or totally storage means as a CD- ROM as a back up storage.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bertin et al. (US 6,400,681)

Kobayashi (US 6,584,534)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2144

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ

GAJ

January 25, 2005

Gertrude A. Jeanglaude
GERTRUDE A. JEANGLAUDE
PRIMARY EXAMINER